

Construction Code Communicator



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Chris Christie, Governor
Kim Guadagno, Lt. Governor

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Citing the Code

Having been with the Code Assistance Unit for some time now, I have noted one issue that continually crops up. Some officials have not been citing code sections when they provide an applicant with a list of code violations. Please keep in mind, in terms of a Notice of Violation, code citations must be provided and after an inspection, provided upon request.

As code officials, we understand the codes and sometimes provide the applicant in "short hand," what is needed to comply with code. However, the applicant does not always understand the letter of the code, especially when it is presented in shorthand. As public servants, we need to assist the layperson in understanding what section of the code has been violated. The only way this can be done correctly is by providing the code cite as required at N.J.A.C. 5:23-4.5(a)3ii.












By citing the exact code sections, we can often speed the process, because when the applicant is informed, correction of the plans, or construction, can be undertaken without the arguments which often result from incomplete information.

That being said, we all know we can't recite code verse from the top of our heads at all times and sometimes have to refresh our memories. And this is why we always provide code citations for a Notice of Violation and provide code citations upon request after an inspection.

Lastly, if any municipality has "counter documents" that they provide to permit applicants regarding frequently violated code sections/citations, please feel free to share them with the Department. We all know having shared resources can help, especially when it comes to enforcing the Uniform Construction Code. The easiest way to share is by email at codeassist@dca.state.nj.us or mail at NJ-DCA, PO Box 802, Trenton, NJ 08625.

Source: Rob Austin
Code Assistance Unit

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Demolition Permits Again

There are few sources of information from every municipality every month. Building permits are one. Many rely on them for economic indicators and to follow development and settlement patterns. In 2013, New Jersey technical assistants and code officials sent information on over 487,000 building permits. More than 22,000 were for demolitions, authorizing the removal of buildings, underground tanks, and other structures. Construction officials authorized demolitions for about 7,300 dwellings in 2013. Many were in Ocean and Monmouth County, as shown in the table below. Demolition permits are an important measure of the effects of Super Storm Sandy.

Housing Demolitions: New Jersey and Ocean and Monmouth County				
Period	New Jersey	Ocean County	Monmouth County	Ocean & Monmouth as % of NJ
Jan – Dec 2013	7,288	3,343	940	58.8
2012	3,222	416	443	26.7
2011	3,067	433	335	25.0
2010	4,415	477	343	18.6
2009	3,040	436	292	23.9
2008	4,455	571	396	21.7
2007	5,022	595	398	19.8
2006	6,460	696	450	17.7
2005	6,926	783	445	17.7
Source: N.J. Department of Community Affairs, 2/7/14				

This article is on demolition basics. It discusses how we see demolition permits and pitfalls to avoid for better, more accurate data.

Demolition Essentials: A demolition permit has information on many things. Four items stand out.

1. What is being demolished?
2. The cost of removal.
3. Is there a loss of housing?
4. If so, how many dwellings?

What is being demolished: No item of information is more critical than the use of the structure. Make a mistake here and more follow. If you issue a demolition permit to remove an oil tank and call it a house, the reporting software requires information on dwelling(s) lost. An oil tank, of course, is not a house; don't call it that. It is an accessory structure (U).

Entering the right use is not always simple and straightforward. One reason is poor software design. Some reporting applications ask for both present and proposed uses. This should only apply to the change of use of an existing building, for example, the conversion of an office building (B) to multifamily housing (R-2).

While proposed uses do not matter for demolitions, some software applications ask anyway. This can trip up code officials and technical assistants. Some enter "U" because they don't know what the proposed use will be and see this as a "safe," catch-all response. Don't do this. If asked, enter the present use again. If the building is an old harness factory, enter "F." If it is a storage tank, enter "U." If it is a single-family house or duplex, enter "R-3" or "R-5." Again, if the reporting software for the demolition asks for both the present and proposed uses, enter the current use of the structure for both responses.

(article continued on next page)

Sometimes it is hard for us to know what's going on from the monthly activity reports we see. This problem is on our end. We have a blind spot with mixed-use buildings. Code officials and technical assistants are trained to enter the predominant use first, followed by secondary use(s). We only see the first use entered. So, when you issue a permit for a mixed-use building, and it has housing, enter the residential use first. If you demolish a building with multifamily housing (R-2), retail (M), and office space (B), enter the residential use first (R-2). This helps us identify the housing impact of the permit, which is especially important.

Demolition dollars: Another item of information on demolition permits is a dollar amount. There is little to say about this, but dollar amount is the cost of the removal. It is not the value of what will be torn down. That's all there is to say about dollars and demolitions.

Dwelling units lost: The primary reason we look at demolitions is to count lost housing. This is a key indicator. It is important for housing and population trends. Some confuse buildings with dwellings. A building is a structure that may have housing. We want to know about dwellings. A dwelling is a house, apartment, or condominium. It can be for sale or rent. If you issue a demolition permit for a single-family house, the number of dwellings lost is one. If you authorize a tear down of a duplex, the number of dwellings lost is two. If you demolish a multifamily building with 100 apartments, then 100 for-rent units are lost. If you are unsure whether the units are for sale or rent and you enter 100 in each field, we see 200 units lost. Make your best guess on tenure, but don't count dwellings twice.

If you have questions, call (609) 292-7898 or e-mail John.Lago@dca.state.nj.us. We appreciate your professional and dedicated work. We are pleased to respond to questions, comments, and concerns.

Building permit data appears in the New Jersey Construction Reporter at <http://www.nj.gov/dca/divisions/codes/reporter/>.

Source: John Lago
Director's Office

Gas Utilities Residential Gas Load Data Inquiry

The Department has become aware that gas utility companies have been requiring a "Residential Gas Load Data Inquiry" form to be completed when adding new loads or making changes to the existing gas load for a single family or multi-family (up to three residential dwelling units).

The reason for this is that the gas utility company needs to verify whether the existing gas service and meter are of adequate size for the additional gas load when a new gas emergency generator or new tankless water heater that increases the gas load is installed.

Because the Uniform Construction Code (UCC) does not require this form to be approved by the utility company as a prior approval before a permit is issued, the contractor or homeowner must notify utility company of any gas loads that would be added to their gas system. Code officials should inform the permit applicant of the utility company's requirement.

There have been cases in which a permit has been issued for a new residential gas generator and the installation was completed, but when the gas utility company became aware of the installation, it made a determination that the gas service and meter were undersized and had to be replaced at an additional cost to the owner. Owners have been very upset that this utility company requirement was not brought to their attention before the permit was issued.

Although this is not a required prior approval, in the interest of providing complete information to the permit applicant, the code enforcement office should inform the homeowner or contractor that they should contact their gas utility company and advise them of the proposed additional gas load before the permit is issued and the installation begins.

Should you have any questions, you may contact me at 609-984-7609.

Source: Thomas C. Pitcherello
Code Assistance Unit

Heat Tracing Systems and Aboveground Water Filled Fire Sprinkler Piping

Recently the Department has been receiving inquiries on whether all heat tracing systems need to be listed for fire protection sprinkler system piping. The simple answer is NO.

The National Fire Protection Association (NFPA) 13/07, Section 8.16.4.1, Protection of Piping Against Freezing, allows listed heat tracing systems to be installed on feed mains or any type of riser piping. It requires only that the system be listed; it does not require that it be specifically listed for fire protection.

NFPA 13, Section 8.16.4.1.4, requires these systems to be monitored to ensure the piping does not freeze. It does not require the monitoring to be connected to the fire alarm system. NFPA 13 allows other forms of monitoring, such as a stand-alone system.

NFPA 13, Section 8.16.4.1.5, requires heat tracing systems that are used on branch lines be specifically listed for fire protection use. All other heat tracing systems for other portions or components of a fire protection system are required to be listed, but are not required to be specifically listed for fire protection.

If you have any questions on protection of piping against freezing, please call the Code Assistance Unit at (609) 984-7609.

Source: Michael E. Whalen
Code Assistance Unit

Insulating Spaces Under Floors

When completing the building thermal envelope in new low-rise residential construction, Sections 402.2.7, Basement walls, and 402.2.9, Crawl space walls, of the International Energy Conservation Code (IECC)/2009 require floors over unconditioned spaces to be insulated. Examples of this are naturally-ventilated crawl spaces and non-heated/cooled basements.

However, a design professional may decide not to insulate the floor above these spaces. In the case of a basement, conditioned or unconditioned, Section 402.2.7 would require the basement walls to be insulated to complete the thermal envelope (a conditioned basement will always have insulation on the walls). In the case of a crawl space, Section 402.2.9 would require the walls of the non-naturally ventilated crawl space to be insulated and mechanically ventilated or conditioned in accordance with Section R408.3, Unvented crawl space, of the International Residential Code (IRC)/2009, the walls of a basement, conditioned or un-conditioned, are required to be insulated to complete the thermal envelope (a conditioned basement will always have insulation on the walls).

For required insulation levels, please see Table 402.1.1, Insulation and Fenestration Requirements by Component, of the IECC/2009 and revisit Bulletin 11-1, Energy Subcode Compliance, which may be found at http://www.nj.gov/dca/divisions/codes/publications/pdf_bulletins/b_11_1.pdf.

Should you have any questions, you may contact me at 609-984-7609.

Source: Rob Austin
Code Assistance Unit

Issuing Notices for Existing Buildings & Homes

The Department is getting word that there may be some confusion as to when to issue a Notice of Violation pursuant to N.J.A.C. 5:23-2.30 in regard to existing homes. Typically, issues like this arise when an inspector is in a home for a rehabilitation project. There are a few things to consider, and hopefully, the following helps sort things out:

(article continued on next page)

*** Rehabilitation Projects ***

Let me start by saying, focus on N.J.A.C. 5:23-6.2(b). This section is entitled "Scope" telling you as a code official why you are on the job site and specifying what you are to be inspecting. This means, if the project has been completed with no violations within the scope, you are to pass it regardless of other violations you may have found elsewhere. And if violations are found outside the scope of the job, please use N.J.A.C. 5:23-2.32, Unsafe Structures, as to whether a violation notice is truly justified. In other words, confine your inspection(s) to the owner's scope of work unless something else rises to the level of an "unsafe structure" as defined in the rules. (Note that this is not just limited to "structural" issues).

*** Recently Constructed Homes only ***

Here, the home is technically "existing" but it was recently constructed (defined as within the last ten years) and in this case, N.J.A.C. 5:23-2.35 can be cited but within certain limitations. As many of you may recall, this section of the Uniform Construction Code was adopted in the wake of the DKM decision to provide a process for code officials to follow in investigating and acting on complaints in residential developments. More specifically, N.J.A.C. 5:23-2.35(b)1 states that this section applies to violations in a residential structure in a development, other than Group R-1, subsequent to the issuance of a certificate of occupancy. These violations are limited to the adopted subcodes of the UCC in effect at the time of permit application. This means that, if you are called to a home and a potential violation is observed, you must keep in mind that the violation is supposed to be based on the code in effect at the time of construction or at the time the work was performed.

Some inspectors have expressed concerns about liability for things they see, but don't cite. Under the Tort Claims Act, both the municipality and its employees are immune from suit for negligent inspections or failure to inspect. If you have further questions or concerns regarding this, please speak to your municipal attorney.

Should you have any questions, you may contact me at 609-984-7609.

Source: Rob Austin
Code Assistance Unit

Modular Construction Permits: What Needs to be Submitted?

Regardless of the number of articles that have been published on this topic, there still seems to be some confusion regarding exactly what must be submitted for the placement of modular construction on a site.

As I am sure you are all aware, as Construction Officials and sub-code officials, we have no jurisdiction over the "box". The "box" is that which is constructed in the factory and delivered to the site. All that is required to be submitted for the "box" is a set of schematics, that is, floor plans and elevations that are NOT required to be signed and sealed by a design professional but are required to be stamped by the third party inspection company.

Additionally, a set of installation instructions for the "box" is also required to be submitted. As with the schematics, these documents are NOT required to be signed and sealed by a design professional, but, they too are required to be stamped by the third party inspection company.

Lastly, all site work that is NOT included in the installation instructions needs to be submitted. This is where it gets tricky! Typical site work includes the foundation system and utility hook-ups. However, any other work that is being performed on-site that is not included in the installation instructions must also be submitted. This could include garages, porches, and decks. Unlike the other documents, the site work documents MUST be signed and sealed by a NJ licensed design professional.

Should you have any questions, please feel free to contact the Code Assistance Unit at codeassist@dca.state.nj.us or by phone at (609) 984-7609 or Melinda Reisner in the Bureau of Code Services at melinda.reisner@dca.state.nj.us or by phone (609) 633-6728.

Source: John N. Terry
Code Assistance Unit

NFPA 13R - When it's Appropriate/When it's Not – Revisited and Updated

In both the International Building Code (IBC) and the National Fire Protection Association (NFPA) standards, scoping limits the use of a NFPA 13R sprinkler system to residential occupancies up to and including four stories in height. What happens when another group is located below a residential occupancy? Is a mixed system appropriate: NFPA 13 for the nonresidential use and NFPA 13R for the residential portion?

Example #1: A grade-level, nonresidential space is appropriately separated (per Section 508.4, Separated Occupancies, of the IBC/2009) from three residential stories above (a four-story building). The grade level (nonresidential) is protected with an NFPA 13 system. Can the three residential stories be protected with a 13R system? The answer is yes.

The IBC, Section 903.3.1.2, NFPA 13R Sprinkler Systems, (IBC/2000, 2006, and 2009) allows an NFPA 13R system for Group R occupancy buildings that are up to and including four stories in height. Therefore, in the example above, it would be permissible to install an NFPA 13 system on the first (nonresidential) floor and an NFPA 13R system in the three stories of Group R above. This is because the total building does not exceed four stories in height.

Example #2: A grade-level, nonresidential space is appropriately separated (per Section 508.4, Separated Occupancies, of the IBC/2009) from four residential stories above (a five-story building). The grade level is protected with an NFPA 13 system. Can the four residential stories be protected with a 13R system? The answer is no.

Based on the same code sections cited above, the required fire-sprinkler system for the entire building, including the residential portion, is NFPA 13. This is because the total building is greater than four stories in height.

Example #3: A four-story residential occupancy is situated above a grade-level parking garage (S-2) and is appropriately separated (per Section 509.2, Horizontal Building Separation Allowance, of the IBC/2009). Can an NFPA 13 system be installed in the S-2 portion and can the residential portion be protected with an NFPA 13R sprinkler system? The answer is yes.

The IBC allows a three hour fire resistance rated horizontal assembly to be used to create a separate building when the building below the horizontal assembly is at grade level and of Type I construction, with appropriate shaft enclosures. Historically, Sections 508.2, Group S-2 Enclosed Parking Garage with Group A, B, M, or R Above, (IBC/2000) and 509.2, Group S-2 Enclosed or Open Parking Garage with Group A, B, M, R or S Above, (IBC/2006) allowed only Group S-2 enclosed or open parking garages on grade level. Now, Section 509.2, Horizontal Building Separation Allowance, (IBC/2009) allows Groups A, B, M, R, S-2 parking garages or incidental uses such as lobbies, storage areas and mechanical rooms to be below the horizontal assembly. Because the separate building above the horizontal assembly does not exceed four stories in height, the residential occupancy can be protected with an NFPA 13R system.

If you have any questions, please call the Code Assistance Unit at (609) 984-7609.

Source: Michael Whalen
Code Assistance Unit

Placement of Houses on Pilings

As the Sandy rebuild continues, many communities are seeing a large number of houses being elevated on pilings. There are two areas of concern that require the attention of local code officials.

Pile Certification: The pile certification must be in hand before construction of a new house or placement of an existing house proceeds. Pursuant to N.J.A.C. 5:23-2.18(b)1.i. and ii., the inspections for which construction must cease include the bottom of footing trenches and foundations and walls up to grade. In the case of a house or other building on a pile foundation, the pile certification takes the place of this inspection.

Connections: After the house is placed on the pilings, inspections must be performed to ensure that all connections are done properly. It does little good to know that the pilings were installed properly if the house is not tied to the pilings. Pursuant to N.J.A.C. 5:23-2.18(b)1.iv(1), structural framing and connections also are listed as items for which construction must cease until an inspection is made.

Vigilance in getting the proper documentation and performing the required inspections is essential to the success of the rebuilding effort. Should you have any questions or need any further information, please feel free to contact the Code Assistance Unit via telephone at (609) 984-7607 or via e-mail at codeassist@dca.state.nj.us.

Source: Code Assistance Unit

Process Equipment and Electrical Requirements

The Code Assistance Unit has received many questions about process equipment and local jurisdiction. At N.J.A.C. 5:23-2.2(a)1, the Uniform Construction Code (UCC) says that manufacturing, production and process equipment is not under the jurisdiction of the UCC. “Electrically speaking,” if the equipment is not pre-wired, then wiring between pieces of equipment for the process **is** under the jurisdiction of the UCC. This means that, if three panels come from overseas with no listing or labeling, but are for a specific process (as defined in the UCC at N.J.A.C. 5:23-1.4), the wiring methods between each cabinet are required to be inspected. In addition, the raceways and supports must be inspected. If the panels or drawings show #12-gauge wire where normally #10-gauge would be required, there would be no failure. The installation should comply with the design and not with the electrical subcode requirements that would apply to non-process type equipment.

In the Uniform Construction Code’s definitions, N.J.A.C. 5:23-1.4, under “manufacturing, production and process equipment,” many items are listed that could be considered process equipment. In item number 16, it states:

16. Electrical work which forms a part of the power or control system of industrial process equipment, up to the point where that work connects to the plant electrical distribution system. Such a point shall be considered a suitable junction box, panel board, disconnect switch, or a terminal box which constitutes the final connection to the factory-installed equipment wiring. **Where these items are not supplied as a part of the equipment; they shall be subject to local enforcing agency jurisdiction** (emphasis added).

So, although the switch gear, motor control center, variable frequency drives, pumps, conveyors, cable tray, conduit and wire are all part of the process, when the methods for connecting all the pieces together did not come as pre-wired assemblies, all methods required to wire the units together fall under the UCC. If, however, the wiring to all the components came pre-manufactured, then only the first point of connection from the panel must be inspected.

I hope this helps clarify how process equipment should be handled and what we need to review and inspect. If there are further questions feel free to call me at 609-984-7609

Source: Dave Greenhill
Code Assistance Unit

Proper Disposal of Construction Materials and Debris – Revisited

In the *Construction Code Communicator* in 1996, Volume 8, Number 3, page 4, I wrote an article regarding the Department of Environmental Protection’s (DEP) requirements for the proper disposal of construction debris generated on site.

Since that time, there has been much discussion and debate regarding the contents of this article. Well, the debate is over! We have been informed that the Department of Environmental Protection, Bureau of Transfer Stations and Recycling Facilities does not take a position on the removal of below-ground concrete supports (foundations) as it is not considered solid waste or recyclable material until such time as it is removed. DEP has informed us that there have no regulations mandating the removal of below grade concrete.

With that said, the property owner will decide whether to remove the foundations or other below grade concrete.

Should you have any questions regarding this article, please feel free to contact me at 609-984-7609 or email at john.terry@dca.state.nj.us.

Source: John N. Terry
Manager, Construction Code Enforcement

The Statewide Non-Residential Development Fee – Another Moratorium?

The non-residential development fee was established by P.L. 2008, c. 46. The first moratorium was contained in P.L. 2009, c. 90. That moratorium ended July 1, 2010. The second moratorium was found in P.L. 2011, c. 122. This extended the moratorium to July 1, 2013.

As of July 1, 2013, the suspension of the Non-Residential Development Fee Act had again expired and municipalities were again required to impose a non-residential development fee of 2.5 percent of the equalized assessed value pursuant to the Statewide Non-Residential Development Fee Act on developments seeking approval subsequent to July 1, 2013. The fee was not to be collected on projects that received site plan approval prior to that date provided that the construction permit was issued by July 1, 2015.

The NRDF Certification/Exemption Form (Form N-RDF rev/ 6-28-10) was updated and can be found at http://www.state.nj.us/treasury/taxation/pdf/other_forms/lpt/nrdf.pdf.

So towns are to collect the fee now, right? Well, yes, that is what the law says, butAs of this writing, a bill to extend the moratorium has passed both houses of the Legislature and is awaiting the Governor's signature. Under the terms of this bill, towns are to refund any monies collected since July 1, 2013 unless those funds have already been committed to affordable housing projects. We will send out a notice as soon as we receive word that the Governor has taken action on this bill.

Questions concerning the Non-Residential Development Fee or municipal development fee ordinances should be directed to the Department of Community Affairs, Council on Affordable Housing at (609) 633-6186 or (609) 292-3000.

Source: Code Assistance Unit

Flood Resistant Materials Usage

R322.1.8 (Flood-resistant materials) of the 2009 International Residential Code (IRC) states, "Building materials used below the elevation required in Section R322.2 (flood hazard areas including A Zones) or R322.3 (coastal high-hazard areas including V Zones) shall comply" with the two listed provisions. Following the references of R322.1.8 and incorporating NJ DEP's rules at NJAC 7:13, the elevation requirements are as follows:

A zone and Coastal A zone (R322.2.1 and N.J.A.C. 7:13)

- The lowest floor must be elevated to or above the best available data (BAD) plus one foot [formerly, advisory base flood elevation (ABFE) plus one foot].

V zone (R322.3.2 and N.J.A.C. 7:13)

- If the lowest horizontal structural member is parallel to the wave action, the bottom of the lowest horizontal structural member must be elevated to or above the BAD [formerly ABFE];
- If the lowest horizontal structural member is perpendicular to wave action, the bottom of the lowest horizontal structural member must be elevated to BAD plus one foot [ABFE plus one foot].

(The above information was published in the Department's Construction Code Communicator: ABFE info published Spring 2013 edition and can be found at

http://www.nj.gov/dca/divisions/codes/publications/pdf_ccc/ccc_2013_spring.pdf and BAD info published Fall 2013 and can be found at http://www.nj.gov/dca/divisions/codes/publications/pdf_ccc/ccc_2013_fall.pdf.)

In an A Zone, the "design flood elevation" for the use of flood resistant materials required by Section R322.1.8 of the 2009 IRC is determined as follows:

- Section R322.1.8 of the 2009 IRC requires the use of flood resistant materials below the elevations required by R322.2 (A-zones).
- Section R322.2.1 #1 requires buildings in the A zone to be elevated such that the lowest floor is at or above the design flood elevation.
- Section R322.2.1 #2 requires buildings in the Coastal A zone to be elevated such that the lowest floor is at or above the base flood elevation plus one foot or the design flood elevation, whichever is higher.

Based on these code requirements, it is clear that, as used in the 2009 IRC, the design flood elevation and base flood elevations are not synonymous and may be at two separate and distinct points. Therefore, the elevation required by the DEP, the BAD plus one foot, is the design flood elevation for New Jersey and when applying R322.1.8 and R322.2, this then is the design flood elevation that must be used to scope the flood resistant materials requirement.

If you have any questions, please call the Code Assistance Unit at (609) 984-7609.

Source: Rob Austin
Code Assistance Unit

When is it Appropriate to Have a Non-Sprinklered Child Care Facility?

It appears that there is some confusion as to when a fire sprinkler system is required for a child care facility. Recently, the Department has calls from supervisors at the Department of Children and Families, the agency that licenses child care facilities, advising me that new facilities have received Certificates of Occupancy in Type VB buildings without fire sprinkler systems being installed.

The International Building Code/2009 (IBC) at Section 903.2.6, Group I, requires the installation of National Fire Protection Association (NFPA) 13 fire sprinkler systems in all Group I fire areas. There are two exceptions to this rule. The first exception is for Group I-1 facilities, which may have a NFPA 13R system installed. The second exception deals with Group I-4 facilities, child care facilities. NFPA 13 systems must be installed in all child care facilities of Type IIIB or Type VB construction. In all other types of construction, a fire sprinkler system is not required when the occupant load is 100 or fewer children and each child care room has an exit door that goes directly to the outside of the building.

The confusion appears to come from the wording of the first part of the second exception. "For other than buildings of construction Types IIIB or VB, an automatic fire sprinkler system shall not be required for Group I-4 child care facilities." That means all Type IIIB or VB buildings must have fire sprinkler systems installed. When a portion of the building is being changed to a Group I-4 child care facility, a fire sprinkler system would be required only in that fire area when appropriately separated from other areas of the building by fire barriers or horizontal assemblies in accordance with IBC Section 707.3.9, Fire Areas.

If you have any questions, please call the Code Assistance Unit at (609) 984-7609.

Source: Michael Whalen
Code Assistance Unit

Wireless Systems and Permits

With the advances in technology, the ability to protect your home or business has become very easy with wireless devices. A question that typically asked is, "Do I need a permit for the installation of a wireless security or supplemental wireless fire alarm system?" The answer is: It depends on the answers to the following questions:

- (1) Will the power supply require running a low voltage wire(s) from a transformer to the control panel?
- (2) Are the key pads or annunciators also wireless or do they require a low voltage, hard-wired connection?
- (3) If using a low voltage wire(s) from a remote power supply or to key pads, will they penetrate a fire rated assembly?

If the answer to any of these questions is yes, then a permit is required for a wireless installation.

Also, if a control panel has an attachment plug, or modular plug (one resembling that which comes with a computer or coffee pot), and no wire is run for the keypads, no permit is required.

However, if the attachment plug is not plugged directly into an existing receptacle (in other words, if an extension cord is used), a permit is required because extension cords are not a permanent wiring method.

For example, I have seen an installation in an existing garage where the nearest available receptacle was the one on the ceiling supplying the garage door opener. After carefully stapling two extension cords neatly from the control panel to the existing ceiling receptacle, the installer thought that the job was complete. Not so. This is not acceptable because the Article 400.8 of the National Electrical Code (NEC), which applies to flexible cords, states that extension cords are not to be used as a substitute for the fixed wiring of a structure. Therefore, when there is an existing receptacle that the manufactured supplied power cord can reach, no permit is required. When there is no receptacle within reach, a new receptacle must be installed and a permit is required (N.J.A.C. 5:23-2.17A, minor work).

I hope this helps clarify the permit requirements. If further questions arise, feel free to contact me at (609) 984-7609.

Source: Dave Greenhill
Code Assistance Unit

The 33rd Annual Building Safety Conference of New Jersey

The 33rd Annual Building Safety Conference was held May 7th through 9th at Bally's in Atlantic City. Our focus this year was on the continued rebuilding effort in New Jersey. We had a successful conference this year with over 500 people in attendance.

The kickoff event for the Conference, as always, was the "Crackerbarrel." This very popular event gives our guests the opportunity to hear from a variety of presenters in a short format style that focuses on new items of particular interest to the code enforcement community. The topics this year ranged from the elevation of residential structures in a flood zone to a review of available online tools to determine site specific information for wind speeds and seismic design.

The centerpiece of the Building Safety Conference was the opportunity to recognize and honor those selected by their associations as Inspectors of the Year and as the Technical Assistant of the Year. We were honored to once again have Commissioner Richard E. Constable, III join Director Edward Smith and the Presidents of the respective associations in making the award presentations at the annual luncheon.

The following awards were presented:



New Jersey Building Officials Association
Building Inspector of the Year - James Zaconie



New Jersey State Plumbing Inspectors Association
Plumbing Inspector of the Year - Frank G. Speranza



New Jersey Fire Prevention and Protection Association
Fire Protection Inspector of the Year - Robert Ferrara



Municipal Electrical Inspectors Association of New Jersey
Electrical Inspector of the Year - George W. Selah, Jr.



New Jersey Association of Technical Assistants
Technical Assistant of the Year- Kathy Newcomb



Congratulations to all for your hard work and dedication to improving code enforcement in New Jersey!

The Building Safety Conference is a terrific opportunity to broaden your knowledge of cutting-edge code enforcement and building construction techniques. It also provides an opportunity to meet with officials from throughout the State to share ideas and promote camaraderie and collegiality among the code enforcement community.

We hope to see you all next year at Bally's in Atlantic City May 6th through 8th, 2015. Please save the date!

Source: John Delesandro
Supervisor, Education and Licensing Units

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Please direct any comments or suggestions to the NJDCA, Division of Codes and Standards, Attention: Code Development Unit, PO Box 802, Trenton, NJ 08625-0802.

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